

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 996

Introduced by Lathrop, 12.

Read first time January 20, 2010

Committee: Judiciary

A BILL

1 FOR AN ACT relating to labor and employment; to amend section
2 4-114, Revised Statutes Supplement, 2009; to change
3 provisions relating to use of the federal immigration
4 verification system by public contractors; and to repeal
5 the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 4-114, Revised Statutes Supplement,
2 2009, is amended to read:

3 4-114 (1) For purposes of this section:

4 (a) Federal immigration verification system means the
5 electronic verification of the work authorization program of the
6 federal Illegal Immigration Reform and Immigrant Responsibility
7 Act of 1996, 8 U.S.C. 1324a, known as the E-Verify Program, or
8 an equivalent federal program designated by the United States
9 Department of Homeland Security or other federal agency authorized
10 to verify the work eligibility status of a ~~newly hired~~ an employee
11 pursuant to the federal Immigration Reform and Control Act of 1986;

12 **(b) Public contract means a contract between a public**
13 **employer and a public contractor;**

14 ~~(b)~~ (c) Public contractor means any contractor or his or
15 her subcontractor who is awarded a contract by a public employer
16 for the physical performance of services within the State of
17 Nebraska; and

18 ~~(e)~~ (d) Public employer means any agency or political
19 subdivision of the State of Nebraska.

20 (2) Every public employer and public contractor shall
21 register with and use a federal immigration verification system
22 to determine the work eligibility status of ~~new~~ all employees
23 physically performing services pursuant to a public contract within
24 the State of Nebraska. Every public contract ~~between a public~~
25 ~~employer and public contractor~~ shall contain a provision requiring

1 the public contractor to use a federal immigration verification
2 system to determine the work eligibility status of ~~new~~ all
3 employees physically performing services pursuant to a public
4 contract within the State of Nebraska.

5 (3) For two years after October 1, 2009, the Department
6 of Labor shall make available to all private employers information
7 regarding the federal immigration verification system and
8 encouraging the use of the federal immigration verification system.
9 The department shall report to the Legislature no later than
10 December 1, 2011, on the use of a federal immigration verification
11 system by Nebraska employers.

12 (4) This section does not apply to contracts awarded by a
13 public employer prior to October 1, 2009.

14 Sec. 2. Original section 4-114, Revised Statutes
15 Supplement, 2009, is repealed.